

ASSEMBLY BILL 2216

Child Welfare Leadership and Accountability Act of 2006

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ISSUE

Hundreds of children enter California's child welfare "system" each day—a system inadequately prepared to meet the needs of children who have suffered physical abuse, sexual abuse, and/or severe neglect and trauma. While there is a vast array of state and county agencies and programs to meet discrete aspects of a foster child's needs, our state and counties fail to effectively coordinate these services or to collaborate on addressing the needs and challenges of youth our entire community collectively undertakes to "parent." As a result, children are left without adequate attention given to their safety, health, dental, mental health, housing and educational needs.

EXISTING LAW

The State has no single point of leadership to provide statewide vision, direction, oversight and accountability of a badly fractured system. The current model tends to centralize authority for foster children with child welfare programs. However, this ignores the multitude of other agencies and entities that must engage to meet a child's needs – the courts, health programs, schools, mental health agencies, and others. Without collaboration, it is extremely difficult to identify and solve obstacles to seamlessly serving the child welfare population.

While California has created tools to help drive improvement -- including the Child and Family Service Review System and the Foster Care Ombudsman – how we attend to the needs of children in foster care is still in need of vast improvement. For example, the Child and Family Service Review System does not include outcome measures that track children's overall wellbeing. The Foster Care Ombudsman's

office, originally envisioned to be independent and impartial, is located within the Department of Social Services (DSS). This has the potential to create conflicts of interest in instances when the ombudsperson is investigating complaints against DSS.

The courts, a critical partner in the child welfare system, currently has no effective tool for measuring and tracking the progress of children through the legal process.

SUMMARY

AB 2216 seeks to establish statewide leadership and collaboration among the various entities engaged on behalf of foster children and to improve the existing tools available to drive system improvement by:

- Requiring research and an evaluation of the establishment of a Child Welfare and Foster Care Leader charged with directly overseeing and coordinating the child welfare and foster care efforts in the state.
- Establishing a Child Welfare Council (to be co-chaired by the Secretary of the Health and Human Services Agency and the Supreme Court Chief Justice) that would bring together the agencies, departments, advocates, and stakeholders to collaboratively attend to the needs of foster youth and their families.
- Directing the Child Welfare Council to consider and recommend ways to improve and strengthen the efficacy and independence of the office of the foster care ombudsman as well as coordination of available services to emancipated foster youth.
- Requiring that wellbeing outcome measures be developed for inclusion in the Child and Family Service Review System.

- Requiring the Judicial Council to design performance measures for the courts.

BACKGROUND

The state is failing to ensure that foster youth achieve educational success and achieve positive health outcomes:

- 30% of foster youth function below their educational grade level.
- 46% of foster youth fail to complete high school, compared with 16% of non-foster youth.
- An estimated 25% of children in foster care have not received timely medical care, and 50% have not received appropriate mental health services.

Various state and federal authorities support the bill's approach:

- The Little Hoover Commission called for stronger state leadership and a stronger role for the foster care ombudsman.
- The California Performance Review called for empowered state leadership.
- The Pew Commission on Children in Foster Care called upon states to improve collaboration between courts and agencies through the creation of broad-based state commissions.
- S. 1679, a federal bill authored by Mike DeWine (R – OH), would require all states to establish child welfare commissions.

SUPPORT

Children's Law Center of Los Angeles
Children's Advocacy Institute
National Center for Youth Law
AFCME
California Association of Nonprofits
California Coalition for Youth
State Public Affairs Committee – Junior
Leagues of California

OPPOSITION

None on file.

FOR MORE INFORMATION

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